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December 5, 2005

Ms. Marlene H. Dortch
Secretary
Federal Communications Commission
445 12th Street, S.W.
Washington, D.C. 20554

Re: *Ex Parte* Notice in IB Docket Nos. 05-220, 05-221 and 02-364

Dear Ms. Dortch:

On December 5, 2005, the undersigned and William T. Lake, counsel to Globalstar LLC, met in person and by telephone, respectively, with John Branscome, Legal Advisor to Commissioner Kathleen Q. Abernathy. The purpose of the meeting was to discuss Globalstar's position in the above referenced proceedings. The handout distributed in the meeting is attached to this letter.

Pursuant to Sections 1.49(f) and 1.1206(b) of the Commission's rules, a copy of this letter has been filed electronically.

Respectfully Submitted,



Josh L. Roland
Counsel to Globalstar LLC

cc: John Branscome
William F. Adler



Globalstar LLC

December 5, 2005



Public Safety Entities and First Responders Rely Heavily on Globalstar's Services

- The value of Globalstar's MSS services was proved in the recent Gulf Coast disasters
 - Although Hurricanes Katrina and Rita disabled the wireline and terrestrial wireless telecommunications infrastructures along the Gulf Coast and surrounding area, Globalstar's MSS system was unaffected by the storms and Globalstar's satellite phone service continued uninterrupted in the Gulf of Mexico and Southeastern U.S., including Louisiana, Mississippi, Alabama, and Missouri
 - Within days after Hurricane Katrina made landfall, Globalstar was able to airlift nearly 10,000 handsets to state and federal officials in the affected region who lacked any other effective communications capabilities
 - Globalstar has been providing vital communications services to FEMA and other state and local disaster relief and first responder agencies in the areas affected by the storms ever since



Pending Matters Will Affect Globalstar's Prospects for Long Term Success - 2 GHz Band

- The Commission must retain 40 MHz of 2 GHz spectrum for MSS and reinstate Globalstar's 2 GHz license
 - It is critical that Globalstar have enough spectrum to meet the growing needs of public safety, first responder, and other customers
 - The 2 GHz spectrum band is the only available MSS expansion spectrum, and is ideally suited for that purpose
 - It is not too late to ensure that Globalstar has an opportunity to provide service in the 2 GHz band
 - Globalstar has made a strong case for reinstatement of its 2 GHz license on both legal and policy grounds
 - Chairman Martin expressed serious doubts about the Commission's decision in his Separate Statement
 - Globalstar has supplemented its pending petition for reconsideration to present a thoughtful and achievable proposal for constructing a 2 GHz satellite
 - Globalstar is in active discussions with two satellite manufacturers



Pending Matters Will Affect Globalstar's Prospects for Long Term Success - 2 GHz Band (continued)

- The Commission must not proceed with its proposal to reserve more of the unassigned spectrum to ICO and TMI
 - The FCC's proposal would create a duopoly in this service to the exclusion of a company, Globalstar, that has proven itself in the global marketplace with over six years of service and needs 2 GHz spectrum to meet future demand
 - Such an action would violate the FCC's own express policy in favor of having at least three service providers in any spectrum band
- Without Globalstar, there will be no U.S.-licensed 2 GHz MSS system!
 - ICO (U.K.) and TMI/TerreStar (Canada) are foreign-licensed
 - Neither company has launched an operational satellite and one has never provided a telecommunications service of any kind
 - Additionally, neither company has shown that it will need more spectrum than it already has to conduct a viable business



Pending Matters Will Affect Globalstar's Prospects for Long Term Success - Big LEO Band

- The pending Further Notice in IB Docket No. 02-364 proposes additional sharing of Big LEO Band
- Globalstar cannot afford further erosion of its 1.6/2.4 GHz spectrum allocation
 - Globalstar's business continues to grow and more fully use its spectrum
 - Restricting spectrum at this time might restrict Globalstar's potential
 - In order to share with Radio Astronomy, Globalstar requires spectrum above 1615
 - Globalstar users within 100 km of a Radio Astronomy site cannot use frequencies below 1615
 - Globalstar requires spectrum above 1616 to provide its aviation services
 - See RTCA DO 262
 - U.S. government agencies want priority restoration service which cannot be provided in shared spectrum
 - Globalstar and business partners are innovating rapidly - new products not based on standard phone require discrete blocks of spectrum
- Operations during Hurricane Katrina showed that TDMA/CDMA sharing is problematic under heavy load as Globalstar predicted in IB Docket No. 02-364 comments

Pending Matters Will Affect Globalstar's Prospects for Long Term Success - Big LEO Band (continued)

- Iridium has more spectrum than it needs to grow its system
- Globalstar presented un rebutted evidence in IB Docket No. 02-364 that Iridium's capacity limitations are the result of design or operational shortcomings, not a spectrum shortage
 - The public interest does not warrant handicapping Globalstar to cure Iridium's technical problem
- Iridium's inability to allocate and use spectrum nationally or regionally, acknowledged only in 2003, contributes to the inefficient use of its spectrum globally
- A formal sharing agreement for the 1618.25-1621.35 MHz band segment is unlikely absent FCC mandate
 - Iridium told Globalstar that Iridium was not interested in creating a formal sharing agreement in the summer of 2003

